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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/049,288      | 05/09/2002  | Paolo Pevarello      | 218195USOPCT        | 9829             |

7590 12/08/2004  
PETER BERNSTEIN  
SCULLY, SCOTT, MURPHY & PRESSER  
400 GARDEN CITY PLAZA  
GARDEN CITY, NY 11530

EXAMINER

ANDERSON, REBECCA L

ART UNIT PAPER NUMBER

1626

DATE MAILED: 12/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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|---------------------------------|-------------|---|----------------------|
| 10/049,288                      | May 9, 2002 | PEVARELLO ET AL.                                  | 17870 PCT (PC28549B) |

| EXAMINER |
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R. Anderson

| ART UNIT | PAPER |
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1626

120204

DATE MAILED:

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## Commissioner for Patents

The reply filed on 16 September 2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The response filed 16 September 2004 is a response to the restriction mailed out on 26 July 2004 (a re-mail of the restriction requirement mailed out 4 August 2003). However, a response to the restriction requirement was already received in the office on 4 November 2003. The prior Office Action sent out to applicants is the first action on the merits mailed 24 August 2004 which requires a fully responsive response from applicants. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the response to the office action mailed 24 August 2004 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

## Conclusion

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Rebecca L. Anderson whose telephone number is (571) 272-0696. Mrs. Anderson can normally be reached Monday through Friday 5:30AM to 2:00PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Mr. Joseph McKane, can be reached at (571) 272-0699.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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12/2/04

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